

REMARKS

Claims 1-3, 6-7, 9 and 13-18 stand rejected under 25 USC §103(a) as being obvious over U.S. Patent No. 5,267,679 (“Kamaya”) in view of U.S. Patent No. 4,121,637 (“Jennings”). Claims 1-3, 6-7, 9 and 13-18 also stand rejected under 35 USC §103(a) as being obvious over U.S. Patent No. 4,724,791 (“McSorely”) in view of Jennings. Applicant has amended independent claims 1 and 18 to more particularly define the present invention. Neither Kamaya nor McSorely nor Jennings nor any combination thereof teach or suggest the features of the present invention as recited in the amended claims.

More specifically, claims 1 and 18 have been amended to recite, *inter alia*,

“... a split collar having two parts opposed to one another each with a curved surface oriented toward the frame member and having means and having means for selectively altering diameter of the collar so that the collar is expandable and contractible such that it can be loosened to remove the collar from the frame member and tightened to ensure a tight fit of the collar about the frame member thereby enabling the collar to be secured to frame members of different dimensions.”

This split collar securing arrangement ensures that the pouch of the carrier mount can be easily and conveniently secured to, and released from, frame members of different dimensions of various exercise apparatus. These features also ensure that the device and

pouch are stable when secured to the frame member (i.e., one of the major faces of the pouch being secured to the frame member in close proximity thereto ensures that the pouch and the device do not swing from the frame member during use). The split collar securing arrangement also enables the device to be conveniently moved between exercise apparatus.

Neither Kamaya nor McSorely nor Jennings nor any combination thereof teach or suggest these features. The Examiner admits that both Kamaya and McSorely do not teach or suggest a collar that can be loosened to permit removal of the securing arrangement from the frame member and tightenable so that the pouch can be secured in close proximity to the frame member. The Examiner then goes on to apply Jennings for this purpose. However, in Jennings, there is no hint of a collar bracket formed of a split collar with having two parts opposed to one another each with a curved surface oriented toward the frame member and having means to expand and contract the diameter of the collar. More particularly, the clip member 32 of Jennings device has a non-curved angled interior surface that cooperates with the top part of the planar back surface of the clipboard 12 to secure the device. This configuration suffers from many limitations. For example, it is difficult to secure the clip member 32 to frame members of different dimensions of various exercise apparatus. It is also fails to provide stability to the device when secured to the frame member. Importantly, these limitations are overcome by the claimed invention. Because there are significant differences between the apparatus recited in claims 1 and 18 and the cited prior art, Applicant respectfully submits that the present invention is patentable over these references.

Dependent claims 2, 3, 6, 7, 9, and 13-17 are patentable over the cited prior art for those reasons advanced above with respect to claim 1 from which they respectfully depend and for reciting additional features neither taught nor suggested by the cited prior art.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,



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